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2100 Pennsylvania Avenue, N.W.
Washington DC 20037-3213

In re Application of :
Terukazu Yanagi et al :
Serial No.: 10/026,843 : PETITION DECISION
Filed: December 27, 2001 :
Attorney Docket No.: Q67605 :

This is a response to the petition under 37 CFR 1.59(b), filed December 10, 2003, to expunge information from the above identified application. This application has been allowed. The delay in acting on this petition is regretted, however it was not forwarded to the proper deciding authority until recently.

Petitioner requests that two priority documents submitted February 1, 2002, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

A review of the file shows that the documents are not identified in the declaration filed in the application and that no claim of priority to the documents is made. In view thereof the documents are unnecessary for prosecution of the application or perfection of a claim of priority. As this file has been converted to an IFW file the documents are not returnable, *per se*. They have, however been closed in the file and will not be available to the public.

The petition is **GRANTED**.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at general Office facsimile number, 571-273-8300.

A handwritten signature in black ink, appearing to read "Bruce M. Kisliuk".

Bruce M. Kisliuk
Director, Technology Center 1600